

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RODNEY OTHEL MCINTOSH

PLAINTIFF,

vs.

UNITED STATES OF AMERICA

DEFENDANT,

CASE NO.

1:18cv903

FILED
SCRANTON

APR 27 2018

COMPLAINT PURSUANT TO 28 U.S. CODE § 2671 et seq.

PER

DEPUTY CLERK

I. PLAINTIFF IS RODNEY OTHEL MCINTOSH PROCEEDING PRO SE IN SUBMITTING THIS COMPLAINT UNDER 28 U.S. CODE § 2671 et seq. HE SEEKS THE MONETARY AWARD OF \$1,000,000⁰⁰. OF CASH FOR THE PHYSICAL & MENTAL INJURIES THAT HAS DAMAGED HIM AS A RESULT OF THE UNITED STATES NEGLIGENTLY DEFAMING HIS CHARACTER WITHIN THE FEDERAL BUREAU OF PRISONS, FROM U.S.P. TERRE HAUTE TO USP LEWISBURG IN PENNSYLVANIA.

II. SPECIFICALLY, MR. MCINTOSH HAS BEEN MISCLASSIFIED AS A SEX OFFENDER ON A MALE CUSTODY CLASSIFICATION FORM. THAT FORM IS A OFFICIAL FEDERAL DOCUMENT PRODUCED BY THE FEDERAL ADMINISTRATION OF THE BUREAU OF PRISONS. SEE MALE CUSTODY CLASS FM.

III. BY UNKNOWN MEANS THE MALE CUSTODY CLASSIFICATION FORM HAS BEEN DISSEMINATED THROUGHOUT THE UNITED STATES PENITENTIARIES BY MULTIPLE INMATES. SEE AFFIDAVITS. THE MISCLASSIFICATION OF HIM AS A SEX OFFENDER HAS PLACED HIS LIFE & LIBERTY IN DANGER WITHIN THE FEDERAL BUREAU OF PRISONS. HE HAS BEEN IN

OVER AT LEAST FIVE FIGHTS WITH BLACK GANG MEMBERS. SEE SPECIAL MAN. UNIT REFERRAL & AFFIDAVITS. THE MISCLASSIFICATION AS A SEX OFFENDER SERVED AS A BASIS FOR GANG MEMBERS TO SCHEDULE THE ASSAULTS AGAINST HIM. E.G. ID.

IV. HE IS SUFFERING FROM PARANOIA AS A RESULT FROM BEING ASSAULTED DUE TO BEING CLASSIFIED AS A SEX OFFENDER. HE FEARS THE FEDERAL EMPLOYEES FROM BEING SPRAYED WITH THEIR OC MACE, DUE TO STAFF RESPONDING TO THE PHYSICAL ALTERCATIONS BETWEEN HIM & MULTIPLE INMATES; STAFF INTERVENES BY USING THEIR MACE. E.G. SMU REFERRAL. IF HE ADMONISHES THE INMATES THAT THE CLASSIFICATION OF HIM AS A SEX OFFENDER IS A ERROR THEY DO NOT BELIEVE HIM, SO HE FEARS HAVING TO FIGHT FOR HIS LIFE. IF HE HAD NOT BEEN MISCLASSIFIED AS A SEX OFFENDER, HE WOULD NOT BE SUFFERING FROM THESE PREJUDICES.

V. ON SEPTEMBER, 1ST, 2017, HE FILED A INFORMAL RESOLUTION ATTEMPT, NO. 17-66, SEEKING TO RECTIFY THE MISCLASSIFICATION OF HIM AS A SEX OFFENDER. HE HAD COMPLAINED OF BEING SLANDERED BY INMATES & STAFF WITH NAMES LIKE: CHOMO & RAPER MOTHERFUCKERS, AND FROM PHYSICAL INJURIES FROM FIGHTING BACK AT HIS ASSAULTERS. THE STAFF MEMBER ASSIGNED TO RESPOND TO HIS COMPLAINT WAS A MRS. J. REIBSOME AND SHE STATED, "YOU DO NOT HAVE A SEX OFFENDER PUBLIC SAFETY FACTOR [ETC], NOR ARE YOU CLASSIFIED AS A SEX OFFENDER. IF IT WAS EVER PLACED ON YOU, IT WAS IN ERROR." SEE I.R. NO. 17-66. ACCORDINGLY, THE SUBMITTED MALE CUSTODY CLASSIFICATION FORM SUPPORTS THAT HE WAS TRULY MISCLASSIFIED AS A SEX OFFENDER, AND THAT CLASSIFICATION WAS A

ERROR OR CORRECTLY NEGLIGENCE THAT HAS CAUSED HIM PHYSICAL & MENTAL INJURIES EVERY DAY.

VI. HE HAS BEEN UNABLE TO OBTAIN THE MENTAL HEALTH TREATMENT THAT HE NEEDS. HE SUFFERS FROM INSOMNIA & PARANOIA. HE CAN NOT SLEEP THINKING ABOUT BEING CLASSIFIED AS A SEX OFFENDER. HE CONTINUES TO SUSPECT HIS LIFE IS IN DANGER. THE MEDICAL DEPARTMENT HAS DENIED HIM MEDICATION TO TREAT HIS ILLNESSES OF PARANOIA & INSOMNIA. SEE I.R. NO. 18025. FROM THE MULTIPLE FIGHTS HE HAS SUFFERED FROM MULTIPLE PAINFUL PUNCHES TO THE HEAD AND UPPER TORSO, AN APPARENT CUT UNDER HIS EYE & ARM. HE IS SO PARANOID OF SUFFERING FURTHER INJURIES.

VII. THE UNITED STATES OWES HIM THE DUTY OF CARE TO PROTECT HIM FROM UNREASONABLE RISK, e.g. 18 U.S.C. § 4042, BY PROVIDING ACCURATE CLASSIFICATION RECORDS AND TO WHICH THEY BREACHED THAT DUTY CLAIMING IT AS AN ERROR IN CLASSIFYING HIM AS A SEX OFFENDER, AS A CONSEQUENCE OF THEIR NEGLIGENCE, e.g. SUPR 7, 242, HE HAS SUFFERED BOTH MENTAL AND PHYSICAL INJURIES AND SEEKS CASH IN THE AMOUNT OF \$1,000,000⁰⁰. HE HAS PROPERLY EXHAUSTED ADMINISTRATIVE CLAIM NO.: TRT-NER-2018-00522. THE NORTHEAST REGIONAL OFFICE RECEIVED THE FORM 95 OCT. 13, 2017, AND HAVE FAILED TO RESPOND OVER THE SIX MONTHS AS OF DATE OF APRIL, 20, 2018. SEE LETTER INDICATION RECEIPT. AGAIN, HE SEEKS \$1,000,000⁰⁰ FROM THE UNITED STATES AS THE DEFENDANT PER 28 U.S. CODE § 2671 et. seq.

SUBMITTED BY: RODNEY OTHEL MCINTOSH - #35074-044
DATE: APRIL 20, 2018

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RODNEY OTHEL MCINTOSH

PLAINTIFF

CASE NO.

VS

UNITED STATES OF AMERICA

DEFENDANT

AFFIDAVIT BY PLAINTIFF SWORN OVER 28 USC 1746

I) ON APRIL 23, 2018, A B.O.P. COUNSELOR DILTZ DELIVERED ME, RODNEY OTHEL MCINTOSH, A LETTER FROM A JOYCE M. HORIKAWA, REGIONAL COUNSEL FOR THE NORTHEAST REGIONAL OFFICE FOR THE B.O.P. THAT LETTER WAS DENYING ADMIN. CLAIM NO. TRT-NER-2018-00522 & DATED APRIL 20, 2018

II) JOYCE M. HORIKAWA, CIRCUMVENTED RECOGNIZING THAT THE MALE CUSTODY CLASSIFICATION FORM SUBMITTED AS EVIDENCE WITH THE FORM 95 SUBSTANTIATED THAT I WAS CLASSIFIED AS A SEX OFFENDER & THAT I HAVE INCURRED MULTIPLE FIGHTS.

III) THE ADMINISTRATION AT USP LEWISBURG PLACED ME ON X BLOCK ON THE FIRST FLOOR WITH INMATES UNDER PROTECTIVE CUSTODY & ARE SEX OFFENDERS & THEN I WAS MOVED TO THE THIRD FLOOR ON G BLOCK, A AREA FOR SEX OFFENDERS, & I HAVE NO INTERACTION. I HAVE BEEN SYSTEMATICALLY ASSIMILATED WITH SEX OFFENDERS. I SWEAR OVER 28 USC 1746. RODNEY O. MCINTOSH REG NO. 35074 044

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RODNEY D. MCINTOSH

PLAINTIFF

CASE NO.

VS

UNITED STATES OF AMERICA

AFFIDAVIT BY PLAINTIFF SWORN OVER 28 U.S.C. § 1746

I, RODNEY OTHEL MCINTOSH IN PRO SE AS THE PLAINTIFF & AFFIANT DECLARES THAT ON TODAY - APRIL 21, 2018 - I ACKNOWLEDGE THAT MY LIFE & LIBERTY IS IN GREAT DANGER, AS A RESULT OF BEING SLANDERED AND SUFFERING FROM THE DEFAMATION OF MY CHARACTER. SPECIFICALLY THE ADMINISTRATION OF THE FEDERAL BUREAU OF PRISONS ADMITTEDLY MISCLASSIFIED ME AS A SEX OFFENDER ON A OFFICIAL FEDERAL TYPED DOCUMENT; TO WIT, A MALE CUSTODY CLASSIFICATION FORM & THAT FORM HAS BEEN COPIED & DISSEMINATED THROUGHOUT THE FEDERAL BUREAU OF PRISONS & SO CONSEQUENTLY I AM KNOWN AS A SEX OFFENDER & AS A RESULT I HAVE FOUGHT FOR MY LIFE OVER FIVE TIMES AGAINST BLACK GANG MEMBERS CAUSING ME PHYSICAL & MENTAL INJURIES, FROM PUNCHES & PARANOIA I FEAR BEING ASSAULTED AGAIN FOR BEING CLASSIFIED AS A SEX OFFENDER. IN FACT & TRUTHFULLY I AM NOT A SEX OFFENDER, NOR HAVE I EVER BEEN THEREFORE THE UNITED STATES HAS CAUSED A GROSS DEFAMATION OF MY CHARACTER BY THEIR GROSS NEGLIGENCE, THAT CONSEQUENTED IN MY INJURIES FROM MULTIPLE FIGHTS. I AM SUING THE UNITED STATES FOR \$1,000,000.00 PER 28 U.S. CODE § 2671 et seq. — SWORN OVER 28 U.S.C. § 1746, THE FOREGOING IS THE TRUTH, & I AM SUBJECTED TO THE PENALTY OF PERJURY & I SWEAR THIS AS TRUTH FROM RODNEY OTHEL MCINTOSH ON APRIL 21, 2018, AT U.S.P. LEWISBURG, PENNSYLVANIA.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

:
:
AFFIDAVIT

I Montez Bridges, the affiant comes swearing in good-faith to this affidavit under oath declaring over 28 USCS 1746 to the following:

I. I was made aware that Rodney McIntosh aka NO NOSE CUS was a sex offender by a male custody classification form; said form is from the issuance of the Federal Bureau of Prisons, and I had knowledge of this hitherto fact by witnessing the form per se.

II. I know that Rodney McIntosh had been in multiple fights because of being classified hitherto as a sex offender at United States Penitentiary Terre Haute and U. S. P. Lewisburg; and he is known hitherto as a sex offender; i.e. a child molester or rapist. Under the prisoner convict rule all gang members have been ordered to injure him due to the latter fact.

III. I was ordered in circa 2015 to physically harm Rodney McIntosh due to hitherto of his sex offender status. As of 2017 it has been found to be a substantial fact that he is not a sex offender, although

inmates continuously disseminate the male custody classification form, and he may be harmed.

this Affidavit has been conscientiously made by I
Montez Bridges, the affiant declaring under 28 USC 1746
on June 15, 2017.

Affiant's signature x. Montez Bridges

Register Numerals: 17995-074

U.S. Penitentiary

P.O. Box 1000

Lewisburg PA 17837

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

:
:
AFFIDAVIT

I Rafael Garcia, the affiant comes swearing in good-faith to this affidavit under oath declaring over 28 U.S.C.S. 1746 to the following:

I. I was made aware that Rodney McIntosh aka No Nose Cur was a sex offender by a Male Custody Classification Form; said form is from the issuance of the Federal Bureau of Prisons, and I had knowledge of this hitherto fact by witnessing the form per se.

II. I know that Rodney McIntosh had been in multiple fights because of being classified hitherto as a sex offender at United States Penitentiary Terre Haute and U.S.P. Lewisburg; and he is known hitherto as a sex offender; i.e. a child molester or rapist. Under the prisoner convict rule all gang members have been ordered to injure him due to the latter fact.

III. I was order in circa 2014 to physically harm Rodney McIntosh due to hitherto of his sex offender status. As of 2017 it has been found to be a substantial fact that he is not a sex offender, although

inmates continuously disseminate the male custody classification Form, and he may be harmed.

this Affidavit has been made conscientiously by I,
Rafael Garcia, the affiant declaring over 28 USC 1746
ON JUNE 15, 2017.

Affiant's signature x. Rafael Garcia

Register Numberals: 12101 001

U. S. Penitentiary

PO Box 1000

Lewisburg PA 17837

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Rodney O. McIntosh

v.

CASE NO.

United States of America

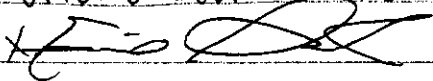
Affidavit

I, Rodney O. McIntosh, the affiant, hereby attests to the following and accurately declaring under 28 USC 1746 and facing the penalties of perjury that I truthfully assert that:

- 1) The Federal Bureau of Prisons inaccurately placed a public safety factor on McIntosh, pro se, by their misclassification of him as a sex offender;
- 2) The Federal Bureau of Prisons conceded that McIntosh is not a sex offender and the classification of him as a sex offender was a error;
- 3) While inmate Eric E. Dear, reg. no. 24860-031, was assigned to the same cell with McIntosh at U.S.P. Lewisburg, PA., Mr. Dear notified Mr. McIntosh that he "had seen the paperwork" identifying Mr. McIntosh as a sex offender and that other inmates from Mr. McIntosh's geographical residential area had notified the similar family and friends that are situated between them and Mr. McIntosh

- 3.) That McIntosh is a sex offender;
- 4.) the slander of Mr. McIntosh being a sex offender has heightened his paranoia and state of mental depression and caused him to appear as a rapist in prison and amongst his family and friends in society and has affected his view of life to be at a dead end.

These facts are the truth and sworn over 28 U.S.C.S. 1746 committed upon the record as page (2) of a affidavit printed at U.S. P. Lewisburg, PA, on December 22, 2017 and complies with all mailbox rules.

signed by: ERIC. E. DEAR #24860-031


x. Rodney D. McIntosh
signed by: Rodney D. McIntosh
reg. no. 35074-044



U.S. Department of Justice

Federal Bureau of Prisons

Northeast Regional Office

U.S. Custom House
2nd & Chestnut Streets - 7th Floor
Philadelphia, PA. 19106

November 7, 2017

Rodney McIntosh, Reg. No. 35074-044
USP Lewisburg
P.O. Box 1000
Lewisburg, PA 17837

Re: Administrative Claim **Received October 13, 2017**
Claim No. TRT-NER-2018-00522

Dear Mr. McIntosh:

This will acknowledge receipt of your administrative claim for an alleged loss of personal property or personal injury at USP Lewisburg.

Under the provisions of the applicable federal statutes, we have **six months from the date of receipt** to review, consider, and adjudicate your claim.

All correspondence regarding this claim should be addressed to Federal Bureau of Prisons, Northeast Regional Office, Room 701, U.S. Custom House, 2nd & Chestnut Street, Philadelphia, Pennsylvania 19106. If the circumstances surrounding this claim change in any fashion, you should contact this office immediately. Also, should your address change, you should contact this office in writing accordingly.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joyce M. Horikawa", is written over the typed name.

Joyce M. Horikawa
Acting Regional Counsel



U.S. Department of Justice

Federal Bureau of Prisons

Northeast Regional Office

Via Certified and Return Receipt Mail

U.S. Custom House-7th Floor
2nd & Chestnut Streets
Philadelphia, PA 19106

April 20, 2018

Mr. Rodney McIntosh, Reg. No. 35074-044
USP Lewisburg
P.O. Box 1000
Lewisburg, PA 17837

RE: Administrative Claim No. TRT-NER-2018-00522

Dear Mr. McIntosh:

Your Administrative Claim No. TRT-NER-2018-00522, properly received on October 13, 2017, has been considered for settlement as provided by the Federal Tort Claims Act (FTCA), 28 U.S.C. § 2672, under authority delegated to me by 28 C.F.R. § 543.30. Damages are sought in the amount of \$250,000.00 based on a personal injury claim. Specifically, you allege you suffer from depression, paranoia, and severe mental anguish because the Federal Bureau of Prisons (BOP) has failed to keep accurate records of classification and has erroneously labeled you as a sex offender with a Public Safety Factor.

An investigation shows there is insufficient evidence to support the allegations of your claim. A review of records shows you have no history of any sexual offenses and are not classified as a sex offender. There is no evidence that a compensable loss was experienced as a result of the negligence on the part of any Bureau of Prisons employee. Accordingly, your claim is denied.

If you are dissatisfied with this decision, you may bring an action against the United States in an appropriate United States District Court within six (6) months of the date of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Horikawa", is written over the typed name.

Joyce M. Horikawa
Acting Regional Counsel

cc: David J. Ebbert, Warden, USP Lewisburg

CLAIM FOR DAMAGE, INJURY, OR DEATH		INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008	
1. Submit to Appropriate Federal Agency: Northeast Reg. Off. Fed. B. O. P. 2nd 2nd Chestnut St. Philadelphia PA 19106		2. Name, address of claimant, and claimant's personal representative if any. (See instructions on reverse). Number, Street, City, State and Zip code. RODNEY O. MCINTOSH PO Box 1000 LEWISBURG PA 17837			
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input checked="" type="checkbox"/> CIVILIAN	4. DATE OF BIRTH 3/21/1981	5. MARITAL STATUS SINGLE	6. DATE AND DAY OF ACCIDENT CIRCA 2014 - SEPT 27, 2017	7. TIME (A.M. OR P.M.) 2400 hrs	
8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary). see attached page.					
PROPERTY DAMAGE					
9. NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED. (See instructions on reverse side).					
PERSONAL INJURY/WRONGFUL DEATH					
10. STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT. I have suffered from depression and paranoia of not knowing if I will be assaulted again or murdered thereby causing me severe mental anguish, then I have been stabbed and assaulted causing pain.					
WITNESSES					
11. NAME		ADDRESS (Number, Street, City, State, and Zip Code)			
MONTEZ BRIDGES - #17995-074 RAFAEL GARCIA - #12101-007		LAST KNOWN address: P.O. Box 1000 LEWISBURG PA 17837			
AMOUNT OF CLAIM (in dollars)					
12a. PROPERTY DAMAGE	12b. PERSONAL INJURY \$250,000.00	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights). \$250,000.00		
I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side). Rodney O. McIntosh		13b. PHONE NUMBER OF PERSON SIGNING FORM N/A NONE		14. DATE OF SIGNATURE	
CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM The claimant is liable to the United States Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).		CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)			

INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance? ☐ Yes If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. ☒ No

N/A NONE

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? ☐ Yes ☒ No 17. If deductible, state amount.

N/A NONE

N/A NONE

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).

N/A NONE

19. Do you carry public liability and property damage insurance? ☐ Yes If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). ☒ No

N/A NONE

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.

PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. **Authority:** The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. **Principal Purpose:** The information requested is to be used in evaluating claims.
C. **Routine Use:** See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
D. **Effect of Failure to Respond:** Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.

Basis of Claim 8.:

The Federal Bureau of Prisons has failed to keep an accurate record of classification of Rodney O.

McIntosh, pro se, as a result he has been erroneously been classified as a sex offender with a Greater Severity Public Safety Factor. See B.O.P. Male Custody Classification Form

The B.O.P. concedes that McIntosh is not a sex offender with a Public Safety Factor. See Informal Resolution Attempt #17-66 The staff member assigned to respond was a J. Reiborne, and they stated, "If it was ever placed on you, it was in error." Id, consequently, that error has caused McIntosh mental and physical traumatic pain that is ongoing, and has placed his life and welfare in peril in prison.

Specifically, the error in classifying him as a sex offender with a Greater Severity Public Safety Factor has set him at physical odds with black prison gang members. See Hearing Administrator's Report on Referral for Designation to a S.M.U. - BP-A0936-052 dated 05-22-15. He has successfully obtained two signed affidavits declared over 28 U.S. Code 1746 rendering the account of apprehending rumors of Rodney O. McIntosh as being a sexual offender. See signed affidavits. the physical altercations that

he has endured were caused by the B.O.P. error in neglecting to keep accurate classification records. Mr. McIntosh is a active street gang member that has been demerited because of the error of classifying him as a sex offender with a Public Safety Factor in the greater severity. Technically Mr. McIntosh has never been arrested for a sex crime, but as a result of the sex offender Public Safety Factor upon the official B.O.P. document, miscreant inmates have acquired that document and made copies and disseminated those copies to federal penitentiaries where gang members reside. So, he is continuing to suffer and seeks compensation in the sum certain of \$250,000.00 cash.

He is in prison for 18 U.S. Code § 111 against federal officials so any reasonable person can infer that the administration of the B.O.P. classifying him as a sex offender could have been instituted as a means of retaliation. He has never cooperated or debriefed with the federales, but his life is in danger to a degree of harm being imminent as a result of the blatant misclassification. The staff in responding to the BP-8 no 17-66 states "you do not have a sex offender Public Safety Factor, nor are you classified as a sex offender", see I-R. no. 17-66; cf. see male-classification form dated 01-24-14, and that form manifests their error and as they state "it was in error." He seeks \$250,000.00 cash, that has caused him mental suffering and physical pain with his life in peril.

The male custody classification form cited that ROONEY McIntosh has "PUB SFTV: GRT SVRTV sex offn." See Id. That form was processed by the B.O.P. in error. See L.R. #17-66.

The synopsis of the incidents in re SMU referral are as follows:

On Sept. 8, 2013, McIntosh and his cell mate were witnessed fighting. His cellmate sought to fight him because a guard had started a rumor of McIntosh being a sex offender.

On November 4 - 26, 2013, McIntosh was suffering from mental anguish from staff antagonizing him by referring to him as a child molester. In response he used vulgar language compelled by distress and he pulled a fire safety sprinkler in order to acquire psychological aid.

On Sept. 16, 2014, staff reported confiscating paperwork from McIntosh. McIntosh claims he was paranoid that staff was antagonizing him by confiscating the legal paperwork. Basically McIntosh was suffering from mental anguish causing him paranoia.

Rumors have since spread that McIntosh is a sexual offender with a greater severity Public Safety Factor as a consequence of the male custody classification form that rival gang members have acquired. McIntosh's life and welfare is in danger. He seeks \$250,000.00.

The male custody classification form erroneously classified McIntosh as a sex offender with a public safety factor. See male custody class. form. The B.O.P. considers that he is not a sex offender and it was an error. See I.R. # 17-66. The B.O.P. has a duty to provide accurate records in which they neglected in that duty. Their negligence has caused him mental and physical anguish. As a result he is now known as a sex offender due to the erroneous classification. He seeks monetary compensation in the sum certain of \$250,000.00.

INFORMAL RESOLUTION ATTEMPT #

17-66

In accordance with Program Statement 1330.18, Administrative Remedy Program, this form will serve as documentation by the respective staff member and his unit manager to indicate an informal attempt to resolve the complaint of the following inmate:

NAME: Rodney O. McIntosh Reg. No.: 35074 044
 FORM TO INMATE: 9-1-17 STAFF: M D
 (Date) (Name) (Unit)

A BP-229(13) WILL NOT ORDINARILY BE ACCEPTED WITHOUT THIS COMPLETED FORM ATTACHED

1. Nature of Complaint (to be completed by inmate):

DEFAMATION OF CHARACTER CAUSING INJURY by the Federal Bureau of Prisons against Rodney O. McIntosh, IN PRO SE. THE BUREAU OF PRISONS MISCLASSIFIED MCINTOSH AS A SEX OFFENDER ON THEIR OFFICIAL DOCUMENT: MALE CUSTODY CLASSIFICATION FORM. THE MISCLASSIFICATION AS A SEX OFFENDER HAS CAUSED MCINTOSH PHYSICAL INJURY FROM INMATES AND MENTAL ANGUISH BY AND THROUGH THE VERBAL INSULTS FROM INMATES AND STAFF. NAMES SUCH AS "RAPER MOTHERFUCKER." MCINTOSH HAS NEVER BEEN ARRESTED FOR A SEX CRIME IN HIS LIFE, SO HE HAS NO CONVICTIONS INVOLVING ANY SEX(OFFEND) OFFENSE. HE HAS A CONVICTION FOR CRIMES AGAINST THE FEDERAL OFFICERS: 18 U.S. CODE § 1112(1). AS A RESULT IT IS CONCEIVED AS A RETALIATORY ACT TO MISCLASSIFY HIM AS A SEX OFFENDER. HE HAS BEEN IN MULTIPLE FIGHTS AND BEEN STABBED IN HIS ARM. INMATES POSSESS THE MALE CUSTODY CLASSIFICATION FORM AND HAVE MADE COPIES OF THAT FORM. I SEEK RELIEF IN THE FORM OF AFFIRMATIVE COMPENSATION UNDER THE FEDERAL TORT CLAIM ACT IN THE SUM OF \$50,000.00.